

Defendants.

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**CA No. 3:22-cv-00265**

1. I am over the age of 18 years, have personal knowledge of the matters set forth in this Declaration, and if called upon to testify to them, I would and could do so competently.
2. I am currently domiciled in ARDMORE, CARTER COUNTY, OKLAHOMA.
3. I am a MASTER CHIEF MARITIME ENFORCEMENT SPECIALIST, in the United States Coast Guard Reserve, currently serving at USCG STATION GALVESTON TEXAS.
4. I enlisted in the Coast Guard in NOVEMBER 1994 graduated boot camp in FEB 1995 then served aboard the USCG Cutter Kodiak Island in Panama City FL while on board the Kodiak Island I was a key part of her surviving after being caught offshore in the very powerful and damaging Hurricane Opal. I then went to Machinery Technician A school and on to the USCG Cutter Attu in San Juan PR after graduating A school. While aboard the Attu I was assigned to the engineering department, during a part of my time there the other machinery technician (MK) was out due to injuries and paternity leave, leaving me

as the sole MK aboard for several patrols, we never missed a patrol or a mission during this time. I received many personal, team, and unit awards for my work on the Attu. I also served as one of the lead law enforcement officers for the Attu making multiple seizures of tons of illicit narcotics bound for the US along with illegal firearms, ammunition, and other contraband. My final active duty assignment was with the Deployable Tactical Law Enforcement Team Gulf out of Corpus Christi TX while assigned there I spent most of my time in between Central and South America interdicting illegal narcotics being trafficked to the US. I transitioned from active duty in NOV 1998 to pursue a career in civilian law enforcement and entered into the USCG Reserve. I was hired by the Carter County Sheriff's Department and then in MAR 2002, I was hired as a US Federal Air Marshal where I am currently employed. While in the reserves I have been assigned to St Louis MO, Oklahoma City OK, USCG Station Galveston TX, and USCG Sector Houston TX. After 09/11 the USCG created a new rate that was exclusively law enforcement based, I changed over from a Chief Machinery Technician a rank in which I made in less than 10 years to a Chief Maritime Enforcement Specialist, I have since promoted to Master Chief Maritime Enforcement Specialist which is an E-9, only 1% of the enlisted workforce are allowed to hold this rank.

5. As a reservist, I served in several leadership roles during my almost 28 years of service. I have served as the Senior Enlisted Reserve Advisor at Station Galveston for two different tours, I was the leading chief of the Sector Houston Reserve Law Enforcement Team leading and developing over 30 people. I have executed more than 7 deployments to natural and man made disasters such as Hurricanes Katrina, Rita, Wilma, Elizabeth, Isabel, Harvey, Irma, and Maria, along with the Deepwater Horizon Oil Spill, and



Operation Noble Eagle to name a few. I have assisted in countless Search and Rescue missions saving numerous lives and have received over 12 personal awards and medals, over 11 unit and team awards, 7 good conduct medals, 3 humanitarian medals, 2 national defense medals, and other various medals, awards, and citations. I have been featured in the USCG Reserve Magazine even making the cover of it for some of my deployments and missions.

6. The deployments I led for Hurricanes Harvey, Irma, and Maria gained such recognition that the USCG sent the Rating Force Master Chief and the Vice Commandant to visit my unit during our reserve drill weekend to visit with us to see how we ran our teams. These visits lead to our model of operations being the model encouraged by the USCG for all similar units. I have had the honor of being a mentor to many young and upcoming chiefs and a sounding board for policies being debated at HQ over the years.
7. I submitted a Religious Accommodation request to abstain from COVID-19 vaccination on 29 November 2021.
8. After I submitted my religious accommodation, I was told that because I am unvaccinated that I would be subject to testing using EUA test kits, be required to wear a mask while on any government property, and be subjected to more vigorous quarantine procedures. The vaccinated on base were not subject to the same testing procedures nor other stipulations required of the unvaccinated.
9. The unvaccinated members were given leave and liberty restrictions. However with me being a reservist and living over 400 miles away this ended up not being something that would not be able to be applied to me.



10. I received the initial denial of my Religious Accommodation request on 11 February 2022. My denial contained statements that did not reflect my religious beliefs, did not address my situation, and appeared to be a blanket denial that matched others I saw and heard about. I was given a very short period for a reserve member (10 days) to appeal this decision therefore I requested an extension that was initially denied, I did receive a shorter than my originally requested extension but only after the initial deadline had passed. I submitted an appeal on 23 March 2022 in accordance with the policies, although these policies had changed during this process eliminating one level of the appeal process from 2 to only 1 level.
11. I was diagnosed and confirmed via lab tests to have had covid on 29 July 2021, and have been tested for residual antibodies on several different occasions since then, while donating blood; proving I still have immunity. I have directly cared for several different family members at least 4 separate times since my initial infection that have tested positive for covid with no signs or symptoms of reinfection on my part.
12. I received my appeal denial on 22 May 2022. I was told I would be facing transfer in the ISL/separation/loss of retirement/loss of pay/other administrative acts.
13. Now that I received my final appeal denial, I was told that I would be ordered to receive the first injection as soon as Sector Houston Medical received the FDA approved vaccine regardless of any civil rights violation complaints I may file. Around 6 July 2022 I was ordered over the phone to get the first dose of vaccine within 10 days or I would be served with a letter informing me of being in violation of a direct order and would be transferred into the ISL from the SELRES, despite being fully able to perform my duties. During all of this time I had been traveling all over Oklahoma and Texas in the



performance of both my civilian job with the Department of Homeland Security (the parent department of the USCG) and as a reservists with no illness or other issues at all.

14. In my original request and in my appeal I stated I did not wish to receive this vaccination due to my religious beliefs and due to my immunity from prior infection and that being forced to do so would put me under great duress and moral conflict, however the order was still given.

15. An email was sent out by the USCG District 8 Chief of Staff stating anyone with a denied RA Appeal that had not received the vaccination would NOT be eligible for promotion or advancement and that this email would serve as official policy in that regard. Since then the covid vaccination command tool kit has been released and revised to include no advancement/promotions for the non compliant members and for their discharge (if Active Duty) or for their transfer into the ISL if SELRES (Reserve). It was also put out that members could not hold command positions such as Command Senior Enlisted Leader and any that were in those positions would be removed for cause and those not in the positions could not be considered for them.

16. My name came up on the Reserve Enlisted Advancement Announcement (ERAA) for Master Chief on 22 July 2022 I had known since the month prior that I would be on this list. This is the last opportunity for me to pick up this advancement in my career with the USCG, this advancement makes a substantial significance in the financial security and well being of my family both now and into my retirement from the USCG. I am currently in the process of retiring from my civilian job with the federal government, this process can be a very time intensive process with a timeframe ranging from a few to several months between an employees last official paycheck and their first retirement paycheck



(some scenarios have been a full 12 months between paychecks), with this knowledge and fear for my ability to provide financially for my family, I was forced to make a decision that no one should be forced to make by their employer or by their government; the choice between their moral and ethical beliefs about their spiritual and physical wellness or their ability to provide for their family in the immediate timeframe. I had to make a decision that I came to make under great duress, moral conflict, mental anguish, moral injury, and now with great remorse to become compliant with this policy against my sincerely held religious beliefs and against my will to receive the first dose of the vaccine. Until the ERAA from the previous month had been published all other non vaccinated members had been allowed to promote or advance. I witnessed the member just ahead of me on the ERAA list be denied her advancement and be relieved from her current command assignment the month prior to my scheduled advancement date, I also became aware of the fact that the USCG was removing non vaccinated members from active service (discharging Active Duty members and placing drilling reservists in the ISL, which places them in a non paid status) at this time my only guaranteed source of income would be my USCG pay, which is enough to make my house payment and keep my home from being foreclosed upon while I await the time between my civilian regular pay and my retirement pay. While I am eligible to retire in lieu of this order, as a reservist I will not receive any retirement pay until I reach age 60 which is still 12 years away for me. I can not afford to lose my USCG income at this particular stage in my life, it is very difficult to find another immediate replacement to both of my incomes, especially in the area I currently reside. The decision I made has caused me to suffer from much heartache, an unbelievable amount of stress, anxiety, and worry; I have had countless



sleepless nights worrying over my actions which has lead to actual physical sickness and symptoms of these conditions. As my advancement date approached I was called by several members in my chain of command asking about my status of compliance, was told I had better make sure I was fully compliant prior to the advancement date, I was also read a second page 7 counseling form over the phone. Up until the advancement ceremony I was contacted, questioned, and counseled about my compliance status many times. Due to all of this pressure and coercion about receiving the second dose prior to my official advancement date and being told that I was not yet fully compliant and that I must be fully compliant to advance or to be retained I received the second dose of the vaccine just prior to my official advancement date. After the advancement ceremony I was again contacted by 3 separate individuals asking for proof of my status, and was read a third page 7 counseling form over the phone. I feel I was completely forced, bullied, intimidated, coerced, and persecuted into receiving theses vaccines with complete disregard for my beliefs, my feelings, my health, my spirituality, and my wellness. I am truly scared and worried about the long term effects of the choice I feel I was forced to make with none of the other options presented or available even considered.

17. My vaccination status did not prevent me from continuing to execute the duties of the Coast Guard. During the pandemic, I have completed every assigned drill period while many of my fully vaccinated subordinates have had to miss or reschedule multiple drill periods due to having covid or covid like symptoms.
18. I and several of my civilian coworkers have requested an RA with my civilian job and have not been ordered to violate these requests or beliefs, and as Federal Air Marshals we

participate in a much wider role of worldwide travel than I would ever be expected to do in the USCG.

I declare under penalty of perjury, under the laws of the United States, that the foregoing statements are true and correct to the best of my knowledge.

Executed this September, 05, 2022.

Signature

A handwritten signature in blue ink, appearing to read 'mjb' followed by a stylized flourish.

Michael Janson Bazzrea, Master Chief Petty Officer, USCGR